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WASHINGTON, DC 20037

EXAMINER

NORTON, JENNIFER L

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/698,515

Applicant(s)

OSSA, CRISTIAN A.

Examiner

Jennifer L. Norton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers


- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/9/04 
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 are pending.

Oath/Declaration

2. The oath is objected to because it does not identify the date on which the inventor signed the oath.

Information Disclosure Statement

3. The Information Disclosure Statement filed on March 9, 2004 improperly indicated U.S Patent No.: 4,484,220 as U.S Patent No.: 4,424,220, and U.S. Patent No.: 4,775,801 as U.S. Patent No.: 4,755,801. Form PTO-1449 filed by applicant has been appropriately amended by the examiner.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Fig. 4, element 68. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet"

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or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-3, 5-6, 8, 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No.: 5,231,310 (referred to as Oh hereinafter) in view of U.S. Patent No.: 4,246,495 (referred to as Pressman hereinafter).

3. As per claim 1, Oh discloses a timer for timing electrical power usage of an electrical apparatus comprising a sensor (Fig. 1, element 26) adapted to be connected to the electrical apparatus for sensing an on condition of the electrical apparatus (col. 1, lines 27-29 and 33-35, and col. 2, lines 33-34), a first counter for counting down to zero time from a time greater than zero time set into the first counter (col. 4, lines 35-39), means connected to the first counter for setting a time into the first counter (col. 7, lines 8-11), a display (Fig. 2B, element 40) for displaying the counter of the first counter (col.

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9, lines 25-27) and a switch (Fig. 2A, element 50) connected between the display and the first counter.

Oh does not expressly teach a second counter for counting up in response to the sensed on condition of the electrical apparatus.

Pressman teaches a second counter for counting up in response to the sensed on condition of the electrical apparatus (col. 2, lines 18-21).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Oh to include a second counter for counting up in response to the sensed on condition of the electrical apparatus to set operation limits on the operation an electronic device, reduce friction and alleviate the waste of time usually involved in the repetitive and emotionally charged interactions between individuals (col. 1, lines 45-54).

4. As per claim 2, Oh discloses a means for interrupting the electrical power to the electrical apparatus when the first counter has counted down to zero time (col. 7, lines 57-63).

5. As per claim 3, Oh does not expressly teach the timer including means for resetting the count of the second counter to zero time.

Pressman teaches teach the timer including means for resetting the count of the second counter to zero time (col. 2, lines 29-32 and lines 54-56).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Oh to include the timer with the means for resetting the count of the second counter to zero time to set operation limits on the operation an electronic device, reduce friction and alleviate the waste of time usually involved in the repetitive and emotionally charged interactions between individuals (col. 1, lines 45-54).

6. As per claim 5, Oh discloses a means for stopping and restarting the count of the first counter during the on condition of the electrical apparatus (col. 6, lines 47-49).

7. As per claim 6, the examiner takes official notice that a television is powered by a 120 VAC, which is the standard in the U.S. Oh discloses the electrical apparatus is powered by 120 VAC (col. 1, lines 27-29 and 33-35).

8. As per claim 8, Oh discloses the timer wherein the electrical apparatus has an electrical connector (Fig. 3, element 300 and col. 3, lines 18-19) and an electrical cord (it is inherent the connector is attached to an electrical cord) and including a timer housing (Fig. 2B, element 11) having at least one male electrical connector (Fig. 2B,

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element 16 and col. 3, lines 6-9) and at least one female connector (Fig. 2B, element 22) for connecting the electrical connector and the electrical cord (it is inherent the connector is attached to an electrical cord) of the electrical apparatus to the timer (col. 3, lines 6-9).

9. As per claim 12, the examiner takes official notice that a television is powered by a 120 VAC, which is the standard in the U.S. Oh discloses the electrical apparatus is powered by 120 VAC (col. 1, lines 27-29 and 33-35).

10. As per claim 15, Oh discloses the male electrical connector is a three-prong power plug (Fig. 2A and 2B, element 16) mounted on one side of the housing and the female electrical connector is a receptacle for a three-prong plug (Fig. 2B, element 22) mounted on a side of the housing (Fig. 2B, element 11) opposite the one side on which the male electrical connector is mounted (Fig. 2B).

11. Claims 4, 7, 10-11, 13, 16-17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh in view of Pressman in further view of U.S. Patent No.: 5,283,475 (referred to as Berger hereinafter).

12. As per claim 4, Oh does not expressly teach a means for setting a time into the first counter is a keypad

Berger teaches a means for setting a time into the first counter is a keypad (Fig. 2, element 14 and col. 3, lines 57-61).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Oh to include a keypad to regulate the hours an electrical apparatus is operable (col. 1, lines 62-65).

13. As per claim 7, Oh does not expressly indicate the display means is a liquid crystal display or light emitting diode.

Berger discloses the display (Fig. 2, element 22) means is a liquid crystal display (col. 3, lines 65-66).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Oh to include a liquid crystal display to selectively provide television control (col. 1, lines 48-53).

14. As per claim 10, Oh does not expressly teach the timer housing has a cover having a first position for accessing and connecting the electrical apparatus to the female connector and a second position for preventing access to the female connector and including means for locking the cover in the second position.

Berger teaches the timer housing has a cover (Fig. 2, element 28 and col. 3, lines 67-68) having a first position for accessing and connecting the electrical apparatus to the female connector and a second position for preventing access to the female connector and including means for locking the cover in the second position (col. 4, lines 13-29).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Oh to include the timer housing having a cover with a first position for accessing and connecting the electrical apparatus to the female connector and a second position for preventing access to the female connector and including means for locking the cover in the second position to selectively provide television control (col. 1, lines 48-53).

15. As per claim 11, Oh does not expressly teach a slot in the cover through which the electrical cord of the electrical apparatus is adapted to pass.

Berger teaches a slot (Fig. 2, elements 44 and 46) in the cover through which the electrical cord of the electrical apparatus is adapted to pass (col. 4, lines 15-19).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Oh to include a slot in the

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cover through which the electrical cord of the electrical apparatus is adapted to pass to selectively provide television control (col. 1, lines 48-53).

16. As per claim 13, Oh discloses means for stopping and restarting the count of the first counter during the on condition of the electrical apparatus (col. 6, lines 47-49).

Oh does not expressly teach means for resetting the count of the second counter to zero time and wherein, in the second position of the cover, the cover prevents access to said switch, said means for setting a time into the first counter, said means for resetting the count of the second counter to zero time and said means for stopping and restarting the count of the first counter.

Pressman teaches teach the timer including means for resetting the count of the second counter to zero time (col. 2, lines 29-32 and lines 54-56).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Berger to include the timer with the means for resetting the count of the second counter to zero time to set operation limits on the operation a electronic device, reduce friction and alleviate the waste of time usually involved in the repetitive and emotionally charged interactions between individuals (col. 1, lines 45-54).

Berger teaches in the second position of the cover, the cover (Fig. 2, element 26) prevents access to means for setting a time into the first counter, said means for resetting the count of the second counter to zero time and said means for stopping and restarting the count of the first counter (col. 3, lines 68 and col. 4, lines 1-12).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Oh to include the cover to prevent access to means for setting a time into the first counter, said means for resetting the count of the second counter to zero time and said means for stopping and restarting the count of the first counter to selectively provide television control (col. 1, lines 48-53).

17. As per claim 16, Oh teaches to a sensor (Fig. 1, element 26) adapted to be connected to the electrical apparatus for sensing an on condition of the electrical apparatus (col. 2, lines 33-34), a first counter for counting down to zero time from a time greater than zero time set into the first counter (col. 4, lines 35-39), a display (Fig. 2B, element 40) for displaying the count of the first counter (col. 9, lines 26-27 and col. 4, lines 35-39), a switch (Fig. 2A, element 50) connected between the display and the first counter, and means for interrupting the electrical power to the electrical apparatus when the first counter has counted down to zero time (col. 7, lines 57-63).

Oh does not expressly teach to a keypad connected to the first counter for setting

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a time into the first counter, a second counter for counting up in response to the sensed on condition of the electrical apparatus, and means for resetting the count of the second counter to zero.

Pressman teaches to a second counter for counting up in response to the sensed on condition of the electrical apparatus (col. 2, lines 18-21), and means for resetting the count of the second counter to zero (col. 2, lines 29-32 and lines 54-56).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Oh to include a second counter for counting up in response to the sensed on condition of the electrical apparatus (col. 2, lines 18-21), and means for resetting the count of the second counter to zero (col. 2, lines 29-32 and lines 54-56) to set operation limits on the operation a electronic device, reduce friction and alleviate the waste of time usually involved in the repetitive and emotionally charged interactions between individuals (col. 1, lines 45-54).

Berger teaches to a programmable timer comprising of a keypad (col. 1, lines 62-65).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Oh to include a programmable keypad to selectively provide television control (col. 1, lines 48-53).

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18. As per claim 17, Oh discloses the timer including means for stopping and restarting the count of the first counter during the on condition of the electrical apparatus (col. 6, lines 47-49).

19. As per claim 19, Oh does not expressly teach the programmable timer, wherein in the second position of the cover, the cover prevents access to said switch, said means for setting a time into the first counter, said means for resetting the count of the second counter to zero time and said means for stopping and restarting the count of the first counter.

Berger discloses the programmable timer wherein the second position of the cover (Fig. 2, element 26), the cover prevents access to said switch, said means for setting a time into the first counter, said means for resetting the count of the second counter to zero time and said means for stopping and restarting the count of the first counter (col. 3, lines 68 and col. 4, lines 1-12).

20. As per claim 18, Oh discloses a timer housing (Fig. 2B, element 11), said timer housing having a female connector (Fig. 2b, element 22) for connecting the electrical apparatus to the timer (col. 3, lines 41-45).

Oh does not expressly teach a cover hingedly connected to the housing, said cover having a first position for accessing and connecting the electrical apparatus to the

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female connector and a second position for preventing access to the female connector and including means for locking the cover in the second position.

Berger teaches a cover (Fig. 2, element 28) hingedly connected to the housing, said cover having a first position for accessing and connecting the electrical apparatus to the female connector and a second position for preventing access to the female connector and including means for locking the cover in the second position (col. 4, lines 13-29).

21. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Oh in view Pressman, in further view of U.S. Patent No.: 6,777,828 (referred to as Rothstein hereinafter).

22. As per claim 9, Oh does not expressly teach the timer as set forth above, wherein the timer includes a timer housing having at least two male electrical connectors and at least two female connectors for connecting the electrical apparatus to the timer by a selected one of the female connectors.

Rothstein teaches to a timer including a timer housing (Fig. 3, element 12) having at least two male electrical connectors (Fig. 1, element 31 and 32) and at least two female connectors (Fig. 3, element 34) for connecting the electrical apparatus to the timer by a selected one of the female connectors (col. 2, lines 36-46).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Berger to include timer with a timer housing having at least two male electrical connectors and at least two female connectors for connecting the electrical apparatus to the timer by a selected one of the female connectors for the capability of coupling to a number of different electronic devices simultaneously (col. 1, lines 27-29).

23. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oh in view of Pressman, in further view of U.S. Patent No.: 4,147,978 (referred to as Hicks hereinafter).

24. As per claim 14, Oh does not expressly teach a programmable microprocessor connected to the first and second counters and the display means, said microprocessor being programmed with power usage specifications of the electrical apparatus and unit cost of electricity for calculating the total cost of electricity used by the electrical apparatus connected to the timer and displaying the total cost on the display means.

Hicks teaches to a programmable microprocessor (Fig. 1, element 32) connected to the first and second counters (col. 2, lines 48-51 and 67-68) and the display (Fig. 3, element 26) means, said microprocessor being programmed with power usage specifications of the electrical apparatus (col. 6, lines 44-46 and 51-56) and unit cost of electricity for calculating the total cost of electricity (col. 1, lines 66-68 and col. 6, lines

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13-15) used by the electrical apparatus connected to the timer (Fig. 4, element 172) and displaying the total cost on the display means (col. 10, lines 15-16).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Berger to include a programmable microprocessor connected to the first and second counters and the display means, said microprocessor being programmed with power usage specifications of the electrical apparatus and unit cost of electricity for calculating the total cost of electricity used by the electrical apparatus connected to the timer and displaying the total cost on the display means for the advantage of providing up-to-date information to the consumer regarding energy usage and costs (col. 2, lines 15-19).

25. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oh in view of Pressman, in further view of Berger and U.S. Patent No.: 4,147,978 (referred to as Hicks hereinafter).

26. As per claim 20, Oh does not expressly teach a programmable microprocessor connected to the first and second counters and the display means, said microprocessor being programmed with power usage specifications of the electrical apparatus and unit cost of electricity for calculating the total cost of electricity used by the electrical apparatus connected to the timer and displaying the total cost on the display means.

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Hicks teaches to the programmable timer including a programmable microprocessor (Fig. 1, element 32) connected to the first and second counters (col. 2, lines 48-51 and 67-68) and the display (Fig. 3, element 26) means, said microprocessor being programmed with power usage specifications of the electrical apparatus (col. 6, lines 44-46 and 51-56) and unit cost of electricity for calculating the total cost of electricity (col. 1, lines 66-68 and col. 6, lines 13-15) used by the electrical apparatus connected to the timer (Fig. 4, element 172) and displaying the total cost on the display means (col. 10, lines 15-16).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teaching of Berger to include a programmable microprocessor connected to the first and second counters and the display means, said microprocessor being programmed with power usage specifications of the electrical apparatus and unit cost of electricity for calculating the total cost of electricity used by the electrical apparatus connected to the timer and displaying the total cost on the display means for the advantage of providing up-to-date information to the consumer regarding energy usage and costs (col. 2, lines 15-19).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to timers for controlling electrical or electronic apparatuses:

U.S. Patent No.: 4,712,019 discloses a plug-in timer adapted to be plugged into a household electric receptacle and operable to programmably the control the flow of power to a load plugged into the timer.

U.S. Patent No.: 4,956,825 discloses a device capable of monitoring the usage rate of electricity for electrical appliances.

U.S. Patent No.: 4,588,901 discloses a device for regulating the maximum time a television or the like can be operated utilizing two counters.

U.S. Patent No.: 4,207,557 discloses an energy register for consumed energy according to a sensor and a net cost is computed according to cumulative consumption.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer L. Norton whose telephone number is 571-272-3694. The examiner can normally be reached on 8:00 a.m - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anthony Knight
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Art Unit 2121